



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/776,688	02/06/2001	Guy Colinart	202720US2	5315

22850 7590 05/19/2003
OBLON, SPIVAK, McCLELLAND MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314



EXAMINER	
LEE, KYUNG S	
ART UNIT	PAPER NUMBER
2832	

DATE MAILED: 05/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED: 5-20-03
OBLON, SPIVAK, McCLELLAND
MAIER & NEUSTADT, P.C.
DOCKETING DEPT.
Initials/Date Docketed: cm - 5-20
Type of Resp(s): Ret to WJD AB and
Due Date(s): 7-19-03

RECEIVED
JUN -2 2003
TECHNOLOGY CENTER 2800



Notice of Abandonment

Application No.

09/776,688

Examiner

Richard K. Lee

Applicant(s)

COLINART ET AL.

Art Unit

2832

41A

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. Applicant's failure to timely file a proper reply to the Office letter mailed on _____.
 (a) A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 (b) A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
 (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 (c) A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 (d) No reply has been received.

2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 (a) The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 (b) The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
 The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 (c) The issue fee and publication fee, if applicable, has not been received.

3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 (a) Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 (b) No corrected drawings have been received.

4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

6. The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7. The reason(s) below:


ELVIN ENAD
 SUPERVISORY PATENT EXAMINER
 TECHNOLOGY CENTER 2810
J/15/03

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Fax Cover Sheet

Date: 28 May 2003

To: Ms. Amy Mahaffey	From: Richard K. Lee
Application/Control Number: 09/776,688	Art Unit: 2832
Fax No.: (703) 413-2220	Phone No.: (703) 306-9060
Voice No.: (703) 413-2828	Return Fax No.:
Re:	CC:
<input checked="" type="checkbox"/> Urgent <input type="checkbox"/> For Review <input type="checkbox"/> For Comment <input type="checkbox"/> For Reply <input type="checkbox"/> Per Your Request	

Comments: *PR 19*
Please disregard the faxed Notice of Abandonment PTO-1432.

Sorry for the inconvenience. Here is the correct Notice of Abandonment, for Box 1, with Official letter mailed date of September 12, 2002.

AM
5/28/03

RECEIVED
MAY 28 2003 u.
OBLOV, SPIVAK, McCLELLAND
MAIER & NEUSTADT, P.C.

Dock update
A. Mahaffey

Number of pages 2 including this page

STATEMENT OF CONFIDENTIALITY

This facsimile transmission is an Official U.S. Government document which may contain information which is privileged and confidential. It is intended only for use of the recipient named above. If you are not the intended recipient, any dissemination, distribution or copying of this document is strictly prohibited. If this document is received in error, you are requested to immediately notify the sender at the above indicated telephone number and return the entire document in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

TECHNOLOGY
JUN 2 2003
RECEIVED
2800



Notice of Abandonment	Application No.	Applicant(s)	
	09/776,688	COLINART ET AL.	
	Examiner Richard K. Lee	Art Unit 2832	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. Applicant's failure to timely file a proper reply to the Office letter mailed on 9/12/02.
 - (a) A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) No reply has been received.
2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) The issue fee and publication fee, if applicable, has not been received.
3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) No corrected drawings have been received.
4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. The reason(s) below.

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

RECEIVED
JUN - 2 2003
TECHNOLOGY CENTER 1800



Docket No.: 202720US2

2837

OBLON
SPIVAK
McCLELLAND
MAIER
&
NEUSTADT
P.C.

ATTORNEYS AT LAW

17

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RECEIVED
JUN - 2 2003
TECHNOLOGY CENTER 2800

RE: Application Serial No.: 09/776,688
Applicants: Guy COLINART, et al.
Filing Date: February 6, 2001
For: HIGH VOLTAGE RESISTANCE, PARTICULARLY
FOR CURRENT LIMITATION IN A MICROWAVE
PROGRESSIVE WAVE TUBE EMITTER
Group Art Unit: 2832
Examiner: LEE, KYUNG S.

SIR:

Attached hereto for filing are the following papers:

REQUEST FOR WITHDRAWAL OF ABANDONMENT
COPY OF DATE-STAMPED FILING RECEIPT DATED FEBRUARY 12, 2003
COPY OF AMENDMENT W/MARKED-UP COPY and COVER LETTER
COPY OF REQUEST FOR EXTENSION OF TIME (2 MONTHS)
COPY OF CANCELED CHECK NO. 285706 IN THE AMOUNT OF \$494.00
COPY OF NOTICE OF ABANDONMENT DATED MAY 19, 2003

Our check in the amount of **\$0.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Gregory J. Maier
Registration No. 25,599 Robert T. Pous
Registration No. 29,099



22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)

I:\USER\DGHO\IPET\WTH\ABAN\202720US PTO Cvr. LTR.DOC

202720US2



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Guy COLINART, et al.

: EXAMINER: LEE, KYUNG S.

SERIAL NO: 09/776,688

: GROUP ART UNIT: 2832

FILED: FEBRUARY 6, 2001

TITLE: HIGH VOLTAGE RESISTANCE, PARTICULARLY FOR CURRENT LIMITATION
IN MICROWAVE PROGRESSIVE WAVE TUBE EMITTER

REQUEST FOR WITHDRAWAL OF HOLDING OF ABANDONMENT

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

Responsive to the Notice of Abandonment dated May 19, 2003, Applicants herewith request withdrawal of said abandonment for the following reasons.

An Office Action was mailed by the Examiner on September 12, 2002, with a shortened statutory period of 3 months, to expire on December 12, 2002. An Amendment (with a marked-up copy) was filed in response to that action, with a Petition for a 2-Month Extension of Time, on February 12, 2003. Enclosed herewith is a copy of the filing receipt, duly date-stamped by the Patent Office on February 12, 2003, evidencing the filing thereof. We are also including a copy of the cancelled Check No. 285706 for the amount of \$494.00 evidencing payment for the 2 Month Extension of Time and Additional Independent Claims. In order to expedite prosecution, Applicants' Attorney is submitting signed copies of the documents indicated above.

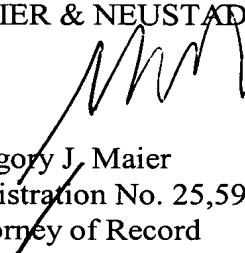
RECEIVED
JUN - 2 2003
TECHNOLOGY CENTER 2800

It is believed that the above discussion and documents enclosed herewith clearly prove that a response to the Office Action was timely filed, and therefore, the holding of abandonment was issued in error. Accordingly, it is requested the holding of abandonment be withdrawn and that prosecution be resumed in the present application.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

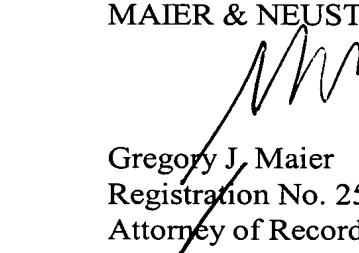
Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Gregory J. Maier
Registration No. 25,599
Attorney of Record



22850


Robert T. Pous
Registration No. 29,099

Tel: (703) 413-3000
Fax: (703) 413-2220
GJM/dgh/jrn



Dept.: E/M

By: GJM:SNS:TJM:psn

✓ OSMM&N File No. 202720US-2

✓ Serial No. 09/776,688

✓ In the matter of the Application of: Guy COLINART, et al.

For: HIGH VOLTAGE RESISTANCE, PARTICULARLY FOR CURRENT
LIMITATION IN A MICROWAVE PROGRESSIVE WAVE TUBE Emitter

✓ Due Date: February 12, 2003

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Dep. Acct. Order Form
- Check for \$494.00
- Cover Letter
- Amendment w/ Marked-Up Copy
- Petition for Extension of Time (2 Months)

I:\ATTY\TJM\202720US\AM 3 FR.DOC

RECEIVED
JUN - 2 2003

TECHNOLOGY CENTER 2800



COPY



RECEIVED
N-2 2003
JULY 28 2000

RECEIVED
JUN -2 2003
TECHNOLOGY CENTER 2800

285706

285706
0868

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

FIRST UNION NATIONAL BANK
VIENNA, VA
68-760/560

FOUR HUNDRED NINETY-FOUR AND 00/100 DOLLARS

DATE
2/12/2003

AMOUNT 

COMMISSIONER OF PATENTS & TRADEMARKS

VOID IF NOT CASHED WITHIN 90 DAYS

PAY
TO THE
ORDER
OF

02720US 2 MO. EXT ADD'L IND CLAIMS

DOCKET

AUTHORIZED SIGNATURE

•0000049400.

PATENT AND TRADEMARK OFFICE

卷之三

卷之三

DO NOT WRITE, STAMP, OR SIGN BELOW THIS LINE

卷之三

四

196

0310000111 0560011184
COLLECTING BANK FIRST VIRGINIA BANK
SVC-141 02142003 FALLS CHURCH, VA
62192663

The security features of this document include:
Three fluorescent ink stains to detect against chemical
alterations; Fluorescent fibers visible only under ultraviolet light;
A check icon in the bottom right corner of each page to detect
tampering; Micro-faint signature lines that read "ORIGINAL DOCUMENT"
when magnified; and "ORIGINAL DOCUMENT"
Security Screen must appear on the back to verify authenticity.

VA CYCLE: 9160 PKT: 2
DDAECYC 92192003

END USE REHAB